IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 273 of 2002
with
CIVIL APPLICATION NO.4326 OF 2002

For Approval and Signature:

Hon'ble MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

CHANDRAKANT ADITRAM PATEL

Versus

STATE OF GUAJRAT

Appearance:
MR MB GANDHI for appellant/applicant No. 1
MRS TRUSHA M GANDHI for appellanat/applicant No. 1
MS NANDINI JOSHI, AGP for Respondent/opponent Nos. 1-2
RULE SERVED for Respondent/opponent Nos. 3,5,8
DELETED for Respondent/opponent No. 4
MR DR BHATT for Respondent/opponent Nos. 6-7,9-13

CORAM : MR.JUSTICE R.P.DHOLAKIA

Date of decision: 07/10/2002

COMMON ORAL JUDGEMENT

Heard Mr.M.B.Gandhi, learned counsel for the appellant, Ms.Nandini Joshi, learned AGP for the respondent Nos.1 and 2 and Mr.D.R.Bhatt, learned counsel for the opponent Nos.6 to 7 and 9 to 13. Respondent No.4

was deleted vide order dated 18-7-2002 passed by the court.

2. With the consent of the parties, order passed by this Court in Civil Application is modified to the extent that respondent Nos.1 and 2 are at liberty to give promotion to other legally entitled persons reserving one vacant post subject to the final outcome of the suit.

3. While disposing of the Notice of Motion, court below was cautious in expeditious trial and, therefore, I hope that matter must have been allotted to concerned Judge dealing with the matter for finally disposing of the suit and if not, learned Principal Judge, City Civil Court, Ahmedabad is directed to allot the matter to the concerned Judge dealing with the matter so as to dispose of the same as expeditiously as possible. Learned counsel for the respective parties have assured this Court that they will give co-operation in the same.

4. Letter dated 24-9-2002 sent by the Deputy Secretary, Education Department,Gandhinagar, to the Government Pleader is ordered to be taken on record.

5. With the aforesaid observation and direction, this Appeal From Order stands disposed of. Notice is discharged.

6. In view of the aforesaid disposal of the Appeal From Order, Civil Application No.4326 of 2002 also stands disposed of. Notice is discharged. Ad-interim relief granted earlier stands vacated.

(R.P.DHOLAKIA,J.)

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